

CLOSED

**U.S. District Court**  
**Middle District of Florida (Jacksonville)**  
**CIVIL DOCKET FOR CASE #: 3:09-cv-00487-HLA-TEM**

Stevens v. Colt et al  
Assigned to: Senior Judge Henry Lee Adams, Jr  
Referred to: Magistrate Judge Thomas E. Morris  
Case in other court: USCA, 10-14387-AA  
Cause: 28:1361 Petition for Writ of Mandamus

Date Filed: 06/02/2009  
Date Terminated: 03/29/2010  
Jury Demand: None  
Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Charles Thomas Stevens**  
*in propria persona*

represented by **Charles Thomas Stevens**  
2744 US1 South  
St. Augustine, FL 32086  
904-797-9520  
PRO SE

V.

**Defendant**

**Ken Colt**  
*official capacity as an employee/Revenue  
Officer  
also known as  
K. Colt*

represented by **Amanda R. Norris**  
U.S. Department of Justice  
PO Box 14198  
Washington, DC 20044  
202-514-6472  
Email: [amanda.r.norris@usdoj.gov](mailto:amanda.r.norris@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**John Hoopes**  
*official capacity as an employee/Revenue  
Officer*

represented by **Amanda R. Norris**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****John 1-10 Does**

Date Filed	#	Docket Text
06/02/2009	<u>1</u>	MOTION for writ of mandamus by Charles Thomas Stevens. (PAM) (Fee paid \$350: receipt #J32472) Motions referred to Magistrate Judge Thomas E. Morris. (Tax exhibits not scanned and filed separately) Modified on 6/2/2009 to edit text (PAM). (Modified on 9/20/2010 to add payment)(SJW). (Entered: 06/02/2009)
06/02/2009	<u>2</u>	AMENDED STANDING ORDER: Filing of documents that exceed twenty-five pages. Signed by All Divisional Judges on 5/25/2005. (PAM) (Entered: 06/02/2009)
06/02/2009		Summons Issued U.S. Attorney, U.S. Attorney General, Ken Colt, John Hoopes. (PAM) (Entered: 06/02/2009)
06/16/2009	<u>3</u>	RETURN of service executed on 6/5/2009 by Charles Thomas Stevens as to Ken Colt. (PAM) (Entered: 06/16/2009)
06/16/2009	<u>4</u>	RETURN of service executed on 6/5/2009 by Charles Thomas Stevens as to John Hoopes. (PAM) (Entered: 06/16/2009)

06/16/2009	<u>5</u>	RETURN of service executed on 6/4/2009 as to the U.S. Attorney's Office by Charles Thomas Stevens (PAM) (Entered: 06/16/2009)
06/16/2009	<u>6</u>	RETURN of service executed on 6/9/2009 as to Attorney General by Charles Thomas Stevens (PAM) (Entered: 06/16/2009)
06/24/2009	<u>7</u>	NOTICE of designation under Local Rule 3.05 – track 2. Signed by Deputy Clerk on 6/24/2009. (PJG) (Entered: 06/24/2009)
07/16/2009	<u>8</u>	NOTICE to the court declining jurisdiction of Magistrate by Charles Thomas Stevens re <u>7</u> Related case order and notice of designation of track 2 (TL) (Entered: 07/16/2009)
08/03/2009	<u>9</u>	MOTION to dismiss by Ken Colt, John Hoopes. (Norris, Amanda) (Entered: 08/03/2009)
08/11/2009	<u>10</u>	MOTION for extension of time to file opposition response/reply re <u>9</u> MOTION to dismiss by Charles Thomas Stevens. (PAM) Motions referred to Magistrate Judge Thomas E. Morris. (Entered: 08/12/2009)
08/14/2009	<u>11</u>	ORDER granting <u>10</u> Motion to extend time to respond to <u>9</u> Motion to Dismiss. Response due by 8/31/2009. Signed by Judge Henry Lee Adams, Jr. on 8/14/2009. (MO) (Entered: 08/14/2009)
08/31/2009	<u>12</u>	RESPONSE in opposition re <u>9</u> MOTION to dismiss filed by Charles Thomas Stevens. (Attachments: # <u>1</u> Exhibit)(TL) (Entered: 08/31/2009)
09/03/2009	<u>13</u>	ERRATA RESPONSE in opposition re <u>9</u> MOTION to dismiss filed by Charles Thomas Stevens. (Attachments: # <u>1</u> Exhibit IRS Register, # <u>2</u> Exhibit Congressional Record)(PAM) Modified on 9/8/2009 to edit text (PAM). (Entered: 09/03/2009)
10/07/2009	<u>14</u>	ORDER TO SHOW CAUSE for failure to file a Case Management Report. Signed by Judge Henry Lee Adams, Jr on 10/7/2009. (PJG) Modified on 10/13/2009 (PAM). (Discharged Per Order Doc. #17) (Entered: 10/08/2009)
10/08/2009	<u>15</u>	CASE MANAGEMENT REPORT. (Norris, Amanda) (Entered: 10/08/2009)
10/08/2009	<u>16</u>	RESPONSE TO ORDER TO SHOW CAUSE re <u>14</u> Order filed by Ken Colt, John Hoopes. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Norris, Amanda) (Entered: 10/08/2009)
10/09/2009	<u>17</u>	ORDER discharging <u>14</u> Order to Show Cause. Entered by Judge Henry Lee Adams, Jr. on 10/9/2009. (MO) (Entered: 10/09/2009)
10/20/2009	<u>18</u>	CASE MANAGEMENT AND SCHEDULING ORDER:Expert witness disclosure deadline is 4/1/10 Discovery due by 5/3/2010, Dispositive motions due by 6/1/2010, Pretrial Conference set for 10/29/2010 at 10:45 AM in Jacksonville Courtroom 10 A before Judge Henry Lee Adams Jr., Jury Trial set for 12/6/2010 at 09:30 AM in Jacksonville Courtroom 10 A before Judge Henry Lee Adams Jr. Signed by Judge Henry Lee Adams, Jr on 10/20/2009. (PJG) (Entered: 10/22/2009)
11/10/2009	<u>19</u>	REPORT AND RECOMMENDATION re <u>1</u> petition for writ of mandamus as contained within the construed complaint filed by Charles Thomas Stevens. Signed by Magistrate Judge Thomas E. Morris on 11/10/2009. (DLC) (Entered: 11/10/2009)
11/20/2009	<u>20</u>	Opposition to <u>19</u> Report and Recommendations by Charles Thomas Stevens. (PAM) (Entered: 11/20/2009)
03/29/2010	<u>21</u>	ORDER adopting <u>19</u> Report and Recommendation; denying <u>1</u> Petition for Writ of Mandamus; granting <u>9</u> Motion to Dismiss. The Clerk is directed to close this case. Signed by Judge Henry Lee Adams, Jr. on 3/29/2010. (MO) (Entered: 03/29/2010)
04/08/2010	<u>22</u>	MOTION for reconsideration re <u>21</u> Order on motion to dismissOrder on report and recommendations by Charles Thomas Stevens. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2, # <u>3</u> Attachment 3, # <u>4</u> Attachment 4, # <u>5</u> Attachment 5, # <u>6</u> Attachment 6, # <u>7</u> Attachment 7)(TS) Modified on 4/12/2010 (PAM). [ See Doc. #23] (Entered: 04/09/2010)

04/12/2010	<u>23</u>	AMENDED MOTION for reconsideration re <u>21</u> Order on motion to dismiss, Order on report and recommendations by Charles Thomas Stevens. (Attachments: # <u>1</u> Attachment 1A, # <u>2</u> Attachment 1B, # <u>3</u> Attachment 2, # <u>4</u> Attachment 3, # <u>5</u> Attachment 4, # <u>6</u> Attachment 5, # <u>7</u> Attachment 6, # <u>8</u> Attachment 7)(PAM) Modified on 4/12/2010 to edit text(PAM). (Entered: 04/12/2010)
04/26/2010	<u>24</u>	RESPONSE in opposition re <u>23</u> MOTION for reconsideration re <u>21</u> Order on motion to dismiss, Order on report and recommendations filed by Ken Colt, John Hoopes. (Norris, Amanda) Modified on 4/27/2010 to edit text (MK). (Entered: 04/26/2010)
05/06/2010	<u>25</u>	REPLY to response to motion re <u>23</u> MOTION for reconsideration re <u>21</u> Order on motion to dismiss, Order on report and recommendations MOTION for reconsideration filed by Charles Thomas Stevens. (Attachments: # <u>1</u> Exhibit Congressional Record Vol. 92-Part 2, # <u>2</u> Exhibit Congressional Record Vol. 92-Part 5)(PAM) (Entered: 05/06/2010)
08/25/2010	<u>26</u>	ORDER denying <u>23</u> Motion for Reconsideration. Signed by Senior Judge Henry Lee Adams, Jr. on 8/25/2010. (MO) (Entered: 08/25/2010)
09/17/2010	<u>27</u>	NOTICE OF APPEAL as to <u>26</u> Order on motion for reconsideration, <u>21</u> Order on motion to dismiss Order on report and recommendations by Charles Thomas Stevens. Filing fee not paid. (SJW) (Entered: 09/20/2010)
09/20/2010		TRANSMITTAL of initial appeal package to USCA consisting of certified copies of notice of appeal, docket sheet, order/judgment being appealed, and motion, if applicable to USCA re <u>27</u> Notice of appeal. (SJW) (Entered: 09/20/2010)
09/21/2010		USCA appeal fees received \$ 455 receipt number J036054 re <u>27</u> Notice of appeal filed by Charles Thomas Stevens {USCA Notified} (SJW) (Entered: 09/21/2010)
01/07/2011	<u>28</u>	CERTIFICATE of readiness sent to USCA re: <u>27</u> Notice of appeal. ROA consists of: volume of pleadings: 2, volume of exhibits: 1. USCA number: 10-14387-AA (SJW) (Entered: 01/07/2011)
01/07/2011		RECORD on appeal sent to USCA re <u>27</u> Notice of appeal. Transmittal includes certified copy of docket sheet, volume of pleadings: 2, volume of exhibits: 1. USCA number 10-14387-AA (SJW) (Entered: 01/07/2011)
01/20/2011		ACKNOWLEDGMENT by USCA of receiving Record on appeal on 1/13/11 re <u>27</u> Notice of appeal. USCA number: 10-14387-AA. (SJW) (Entered: 01/20/2011)
06/21/2011	<u>29</u>	USCA judgment (certified copy) AFFIRMED as to <u>27</u> Notice of appeal filed by Charles Thomas Stevens. Entered on docket 4/20/11. Issued as Mandate on: 6/20/11 ROA returned and consists of: volume of pleadings: 2, volume of exhibits: 1, USCA number: 10-14387. (SJW) (Entered: 06/22/2011)